GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:3000
ANSWERED ON:22.03.2005
INTELLECTUAL PROPERTY RIGHTS
Virendra Kumar Shri

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) the details of recommendations of the Pharmaceutical Research and Development Committee established in 1999 under the Chairmanship of Dr. R.K. Mashelkar, Director General, CSIR on the IPR related issues and identification of such issues of research in the country;

(b) whether the committee emphasized the need to amend Section 2(1)(1) of the Indian Patents Act, 1970 to make new Chemical Entity (NCE)/New Medical Entity (NME) only to be patentable; and

(c) if so, the steps taken to incorporate this recommendation in the proposed Patents (Amendment) Bill?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI E.V.K.S. ELANGOVAN):

(a) to (c) The Ministry of Chemicals and Fertilizers, Department of Chemicals and Petrochemicals set up a Pharmaceutical Research and Development Committee with a view to recommend measures to strengthen the research and development capability of the pharmaceutical industry in the country and to identify the scope required by Indian pharmaceutical companies to undertake domestic R and D. The Terms of Reference of the Committee were as under.

(i) To appraise the current status of R and D in the Indian pharmaceutical sector and to suggest measures to boost it in the context of drug price control regime and changes in the laws on intellectual property rights.

(ii) To suggest new and innovative fiscal and non-fiscal measures for boosting R and D in pharmaceutical sector; and

(iii) To suggest mechanisms for establishing organic linkages between private sector and government organisations/laboratories/universities with a view to synchronizing and synergising national R and D efforts in Pharmaceuticals.

In respect of Intellectual Property Rights, the Committee has suggested that a higher level of innovation and IPR management coupled with strategic manufacturing and aggressive marketing will largely determine Indian pharma` industry`s future. Specific measures for strengthening the IPR system with action points for the Government, judiciary and the legal system, industry, S and T and educational system have been suggested. Some suggestions for enacting a TRIPs compatible IPR legislation, which protects the interest of the consumers and allows a platform for the growth of Indian pharma industry.have also been made.In respect of Patents, the Committee has recommended enactment of a TRIPS compatible IPR legislation, which at the same time protects the interest of consumers and allows a platform for the growth of Indian pharrna industry and also suggested that product patent should be granted in India for New Chemical Entity, including new chemical molecules and new chemical formulations only.